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STATE OF ILLINOIS

Richard B. Ogilvie,  
Governor

# Occupational Safety and Health Laws and Rules

(In effect January 1, 1972)

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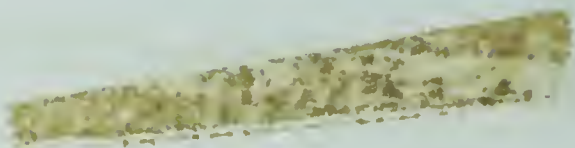
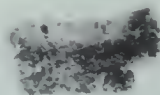
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# ILLINOIS OCCUPATIONAL SAFETY and HEALTH LAWS 1972

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* Illinois Department of Labor has enforcement, administration, or rule-making authority for these laws.	



# ILLINOIS OCCUPATIONAL SAFETY and HEALTH LAWS 1972

## I N T R O D U C T I O N

### LAWS ENFORCED and ADMINISTERED by DEPARTMENT OF LABOR

This publication contains the complete text of 11 occupational safety and health laws in effect in Illinois as of January 1972.

The Department of Labor has enforcement, administrative, or rule-making authority responsibilities for the first eight of these acts. The remaining three statutes provide penalties for violation without any specific agency designated for enforcement.

Titles of Health and Safety Rules, Parts A-Q, promulgated as rules of the Illinois Industrial Commission are listed on pages 19-22. The Illinois Health and Safety Act was amended in 1971 to make standards issued under the Federal Occupational Safety and Health Act of 1970 also rules of the State of Illinois. Federal standards now in effect as State of Illinois rules are referred to on page 18.

### Over 40 Other Occupational Safety and Health Laws Administered by Other Agencies

More than 40 other Illinois statutes have been classified as having impact and importance for occupational safety and health for Illinois workers. These statutes are dispersed for enforcement and administration among the Departments of Law Enforcement, Public Health, Mines and Minerals, State Mining Board, Illinois Commerce Commission, and the three environmental protection agencies.<sup>1/</sup>

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<sup>1/</sup> See Directory-Illinois Occupational Safety and Health Laws and Rules, prepared by Illinois Department of Labor, June 1970.

337.112  
10674  
1971

1971 Amendments to the Illinois  
Occupational Safety and Health Laws

HEALTH and SAFETY ACT  
(IRS, Ch. 48, §§ 137.1-.21)

The Illinois Health and Safety Act was extensively amended in 1971 by P.A. 77-1644 (SB 1222) approved September 24, 1971. Among the principal changes made by this Act were:

Sec. 2 Extended the application of the Act to all employers and their employees including the State of Illinois and its employees. However, agricultural work and the coal mining industry are exempted.

Sec. 3(a). It shall be the duty of every employer to provide reasonable protection to each of his employees and furnish employment and a place of employment free from recognized hazards.

Sec. 3(b). It shall be the duty of each employee to comply with occupational health and safety standards promulgated under this Act.

Sec. 4. All standards promulgated under the Federal Occupational Safety and Health Act of 1970 shall be rules of the Illinois Industrial Commission, unless the Commission shall make an alternative State rule at least as effective as the Federal standard.

Sec. 6. An Occupational Safety and Health Advisory Committee was created.

Sec. 7. The Industrial Commission may make, modify, or repeal rules based on the report of the Occupational Safety and Health Advisory Committee as well as on its own initiative or upon written petition as provided previously.



## Health & Safety Act (cont.)

Sec. 8. Amended to make Federal Occupational Safety and Health Standards effective upon their date as Federal standards.

Sec. 17. Amended to provide that the Department of Labor is to enforce the rules of the Industrial Commission, but removing the provisions relating to procedures for enforcement. New procedures for enforcement were incorporated in amendments to the Safety Inspections and Education Act, Sec. 2.

Sec. 17(b) was added to provide that any employers or employees who believe that a violation of a safety or health standard exists, upon which the Department of Labor has failed to issue a notice of violation or taken another enforcement action, may request a hearing before the Industrial Commission.

Sec. 18. Violation and penalty provisions were repealed. (See Safety Inspections & Education in Industrial and Commercial Establishments Act, Sec. 2, for penalties.)

Safety Inspections and Education in Industrial and Commercial Establishments Act  
(IRS, Ch. 48, §§ 59.1-.9)

This Act was extensively amended in 1971 by P.A. 77-1801 (SB 1223) approved and effective January 4, 1972, as follows:

Sec. 2. Amended to provide broader safety inspection powers to the Department of Labor, including right of entry, inspection authority, employer requirement to furnish information, prohibition of advance notice of inspection, imminent danger, citation for violation, hearings, appeals, and judicial review from violation orders. Penalties are set for failure to comply with health and safety rules and for failure to correct violations.

## Safety Inspections Act (cont.)

Secs. 3-6. Creates a Safety Inspection and Education Advisory Committee to consider existing state safety and health inspections, enforcement and education practices, and suggest changes. Provides for Committee membership and expenses, and an annual report.

### Injuries and Death During Construction or Repair of Bridges and Highways (IRS, Ch. 121, §§ 314.1-.8)

P.A. 77-176 (HB 1303) approved July 2, 1971, effective January 1, 1972 amended Secs. 2 and 4 to refer to the new Department of Transportation, formerly the Department of Public Works and Buildings. The Act is enforced by the Department of Labor.

### Safety Glazing Materials Act (IRS, Ch. 17 $\frac{1}{2}$ , §§ 1-9)

P.A. 77-112 (SB 101) approved June 22, 1971 and effective January 1, 1972 is a new act. It requires the use of safety glass in hazardous locations in homes and commercial buildings constructed after January 1, 1972, and labeling of all safety glass manufactured or sold after the bill's effective date. Department of Labor to hold hearings to adopt additional requirements.



Report of Occupational Injuries, Illnesses & Fatalities  
(IRS, Ch. 48, §§ 891-894)

P.A. 77-1733 (HB 2871) approved December 1, 1971 and effective July 1, 1972 requires every employer in Illinois to maintain a record of all injuries, occupational illnesses, and fatalities of his employees in a manner and form prescribed by the Director of Labor, in substantial compliance with that required under the Federal Occupational Safety and Health Act of 1970.

Death of an employee in the course of his employment is to be reported within 24 hours, and serious injuries as defined in rules and regulations promulgated by the Director of Labor in a manner and form prescribed by the Director.

NOTE: The Department of Labor will not issue regulations pursuant to this Act until after recommendations have been made as a part of a comprehensive occupational safety and health state plan.

Taxicab Shields Required in Cities of 1,000,000  
or More Population  
(IRS, Ch. 95 $\frac{1}{2}$ , § 12-605)

P.A. 77-37 (HB 38) approved May 19, 1971 and effective January 1, 1972 transfers provisions from IRS, Ch. 95 $\frac{1}{2}$ , § 441, to Ch. 95 $\frac{1}{2}$ , § 12-605.



## State-Federal Occupational Safety and Health Relationships

With the enactment of the Federal Occupational Safety and Health Act of 1970, signed on December 29, 1970 which became effective April 28, 1971, the responsibility for occupational safety and health which formerly rested with state governments, became shared with the Federal government.

Under OSHA (Sec. 18), the U. S. Department of Labor was authorized to set and enforce occupational safety and health standards. For any standards established by the Federal government, the state loses jurisdiction to enforce such standards unless the state has asserted jurisdiction for such standards by qualifying under a State Plan approved by the U. S. Secretary of Labor.

Sec. 18(a) states that "Nothing in this Act shall prevent any State agency or court from asserting jurisdiction under State law over any occupational safety or health issue with respect to which no standard is in effect under Section 6."

Under Sec. 18(h) of the Federal Act, the State will be "permitted to continue to enforce one or more occupational health and safety standards in effect in such State until final action is taken by the Secretary with respect to a plan submitted by a State under subsection (b) of this section, or two years from the date of enactment of this Act, whichever is earlier."

## State-Federal Relationships (cont.)

On May 7, 1971, the State of Illinois entered into an interim agreement under Sec. 18(h) with the U. S. Secretary of Labor under which the State of Illinois will continue to enforce all occupational safety and health standards in effect as State law until such time as a comprehensive State Plan is submitted and approved by the U. S. Secretary of Labor under Sec. 18(b) of the Federal Occupational Safety and Health Act.

All occupational safety and health standards currently enforced by the Illinois Department of Labor and other state agencies were included in the agreement and will be in effect until a State Plan has been approved by the U. S. Secretary of Labor, which the State has until December 29, 1972 to accomplish. In the interim, the Illinois Industrial Commission may revise Illinois health and safety rules or legislative changes may be made. When the State Plan is approved, there may be recommendations for substantial changes in provisions now contained in the Illinois Occupational Safety and Health laws.

The Illinois Department of Labor and the Illinois Industrial Commission were designated by Governor Richard B. Ogilvie as the State agencies responsible for the development of an Illinois Occupational Safety and Health State Plan.



**HEALTH AND SAFETY ACT**  
(111. Rev. Stat., Ch. 48, §§ 137.1-137.21)

<u>Sec.</u>	<u>Sec.</u>
1. Industrial commission to administer.	7.11 Order on appeal.
2. Application of act.	7.12 Scope of review
3. Employer's duty—Employee's duty—Rules	7.13 Jurisdiction.
4. Rules regulating records on deaths, injuries and illness —Rules requiring reports—Federal safety and health standards as rules.	7.14 Intervention.
5. Effect of rules.	7.15 Subsequent returns—Intervenors.
6. Occupational Safety and Health Advisory Committee.	7.16 Appeal.
7. Modification of rules.	7.17 Priority in hearing.
7.01 Hearings—Institution.	7.18 Representation by attorney general.
7.02 Petition for hearing.	8. Effective date of rules.
7.03 Joint hearings.	9. Practice and procedure.
7.04 Public hearing—Time.	10. Securing information—Inspection of premises.
7.05 Notice of hearing.	11. Issuance of subpoenas—Testimony.
7.06 Place and conduct of hearings.	12. Annual report.
7.07 Written decision—Distribution.	13. Action in name of industrial commission.
7.08 Modification, correction or vacation of decision —Objections.	14. Records of proceedings.
7.09 Court review—Time—Service.	15. Publication of rules.
7.10 Certification of record—Transcript.	16. Record on return to writ of certiorari.
	17. Enforcement of rules.
	18. Repealed.
	19. Title of act.
	20. Acts repealed—Rules of Industrial Commission.
	21. Existing rights saved.

AN ACT relating to the health and safety of persons employed, vesting in the industrial commission power to make reasonable rules relating thereto; providing for the enforcement thereof; and repealing certain Acts herein named.

## HEALTH AND SAFETY ACT

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

137.1. Industrial Commission to administer.)  
Section 1. The industrial commission is hereby vested with the power and authority to administer the provisions of this Act.

137.2. Application of act.) Section 2.  
This Act shall apply to all employers engaged in any occupation, business or enterprise in this State, and their employees, including the State of Illinois and its employees.

(a) Nothing contained in this Act shall be construed to apply to any work, employment or operations done, had or conducted by farmers and others engaged in farming, tillage of the soil or stock raising, or to those who rent, demise or lease land for any such purposes, or to anyone in their employ, or to any work done on a farm or country place, no matter what kind of work or service is being done or rendered.

(b) Nothing contained in this Act shall be construed to apply to employers and employees in the coal mining industry.

(As amended by P.A.77-1644, approved September 24, 1971)

137.3. Employer's duty--Employee's duty--Rules.  
Section 3.

(a) It shall be the duty of every employer under this Act to provide reasonable protection to the lives, health and safety and to furnish to each of his employees employment and a place of



## HEALTH AND SAFETY ACT

employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.

(b) It shall be the duty of each employee under this Act to comply with occupational, health and safety standards promulgated under this Act.

(c) The industrial commission shall, from time to time, make, promulgate and publish such reasonable rules as will effectuate such purposes. Such rules shall be clear, plain and intelligible as to those affected thereby and that which is required of them, and each such rule shall be, by its terms, uniform and general in its application wherever the subject matter of such rule shall exist in any business, occupation or enterprise having employees.

(As amended by P.A.77-1644,  
approved Sept. 24, 1971.)

137.4. Rules regulating records on deaths, injuries and illness--Rules requiring reports--Federal safety and health standards as rules.) Section 4.

(a) The Industrial Commission shall prescribe rules requiring employers to maintain accurate records of, and to make periodic reports on, work-related deaths, injuries and illness other than minor injuries requiring only first aid.

(b) All federal occupational safety and health standards which the Secretary of Labor shall promulgate, modify or revoke in accordance with the Federal Occupational Safety and Health Act of 1970, shall be rules of the Illinois Industrial Commission unless the Illinois Industrial Commission shall make, promulgate and publish an alternative State rule at least as effective in providing safe and healthful

## HEALTH AND SAFETY ACT

employment and places of employment as the federal standard.

(As amended by P.A.77-1644 approved Sept. 24, 1971.)

### 137.5. Effect of rules.) Section 5.

Such rules of the industrial commission shall have the force and effect of law.

### 137.6. Occupational Safety and Health Advisory Committee.) Section 6.

(a) The Governor shall appoint an Occupational Safety and Health Advisory Committee to consider existing State safety and health standards and suggest rules or changes, including any proposed alternative State rules to Federal occupational safety and health standards which become effective. The Chairman of the Occupational Safety and Health Advisory Committee shall be appointed by the Governor. The Chairman of the Illinois Industrial Commission and the Director of the Illinois Department of Labor, or their representatives, shall serve as ex officio members.

(b) The Occupational Safety and Health Advisory Committee shall be comprised of five recognized representatives of labor, five recognized representatives of management, and five public members who are recognized as experienced in the field of safety and health.

(c) Members of the committee shall serve for a term of three years and shall meet during each year of their appointment as frequently as the committee



## HEALTH AND SAFETY ACT

shall deem necessary. Members of the Occupational Safety and Health Committee shall receive travel and other expenses reasonably incurred in performance of their responsibilities as committee members.

(d) The Occupational Safety and Health Advisory Committee shall prepare and submit an annual report of their activities to the Illinois Industrial Commission for its considerations, which report shall include all proposals for rules or changes which have been submitted and all recommendations which the committee shall adopt.

(As amended by P.A.77-1644, approved Sept. 24, 1971.)

### 137.7. Modification of rules.) Sec. 7.

The industrial commission may, on its own initiative or upon written petition, or upon the annual report of the Occupational Safety and Health Advisory Committee, make, modify or repeal any rule or rules as provided in this Act, conforming with the procedures prescribed in this Act.

(As amended by P.A.77-1644, approved Sept. 24, 1971.)

### 137.7-01. Hearings--Institution. Sec. 7.01.

If the industrial commission resolves to institute such proceedings on its own initiative, it shall pass a resolution stating in simple terms the subject matter and purpose of such hearing, and shall place such resolution on file, and the matter shall proceed to hearing and disposition upon such resolution as hereinafter provided.

### 137.7-02. Petition for hearing.) Sec. 7.02.

Every petition for hearing upon rules filed with the industrial commission shall state, in simple terms, the subject matter and purpose for which

## HEALTH AND SAFETY ACT

such hearing is requested. Such petition shall be signed by 5 employees or 5 employers, or by a majority of employers, in a specified industry. When such a petition is filed, the matter shall proceed to hearing and disposition upon such petition as hereinafter provided.

### 137.7-03. Joint hearings.) Section 7.03.

The industrial commission may, on its own motion, or the motion of any interested party, consolidate for joint hearing and joint disposition, any number of pending resolutions and petitions on any related subject matters, but the provisions of this Act as to notice of hearing shall be complied with as to each petition or resolution so consolidated.

### 137.7-04. Public hearing--Time.) Section 7.04.

When the industrial commission on its own initiative determines to consider any rule or rules, or when such a petition is filed, the commission shall set a date for a public hearing on such cause, not less than 30 or more than 90 days after the date of the passage of the resolution by the commission of its intention to proceed on its own initiative, or after the filing of a petition, as the case may be.

### 137.7-05. Notice of hearing.) Section 7.05.

Notice of such hearing shall be given at least 30 days prior to the date of the hearing by publication in a newspaper of general circulation within the county in which the hearing is to be held, and by mailing notice thereof to any employer, and to any association of employers and to any association of employees who have filed with the industrial commission their names and addresses, requesting notice of such hearings, and stating the particular industry or industries concerning which they desire such notice.



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The notice of hearing shall state the time, place and subject matter of the hearing.

### 137.7-06. Place and conduct of hearings.)

Sec. 7.06. Hearings shall be held in places reasonably convenient to the persons affected.

At any such hearing any interested party may submit any evidence pertinent to the subject matter of the hearing.

The industrial commission or any member thereof may administer oaths in connection with any proceeding under this Act.

### 137.7-07. Written decision--Distribution.)

Sec. 7.07. Upon the conclusion of the hearing, the industrial commission shall enter in writing, its decision upon the subject matter of such hearing. Copies of the decision shall be mailed to interested parties whose names are on file with the commission, as hereinbefore provided, and a certified copy thereof shall be filed in the office of the Secretary of State at Springfield.

### 137.7-08. Modification, correction or vacation of decision--Objections.) Sec. 7.08.

Within 30 days after the entry of a decision, rule or rules by the industrial commission, the commission may correct, modify or vacate such decision, rule or rules of its own motion, or upon written objection. Within such 30 days, any person affected thereby may object in writing to the decision, rule or rules entered by the industrial commission, stating the specific grounds of his objection. The commission, in its discretion, may or may not act upon said objection.

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### 137.7-09. Court review--Time--Service.)

Section 7.09. Any person affected thereby, whether or not such person participated in the previous proceedings, may within 90 days after a decision, rule or rules is entered by the industrial commission, file a praecipe for a writ of certiorari in the circuit court of the county in which the subject matter of the hearing is situated, or, if the subject matter is situated in more than one county, then in any one of such counties for the purpose of having the reasonableness or lawfulness of the decision, rule or rules reviewed.

Upon the filing of praecipe, writ of certiorari shall issue directed to the industrial commission, returnable on a designated return date not less than 10 nor more than 60 days from the issuance thereof.

The person or the parties filing the praecipe for writ of certiorari or other interested parties, shall, on or before the return date as fixed, file in the office of the clerk of the court out of which said writ issued, specific grounds of objection to the particular decision, rule or rules sought to be reviewed..

Service of such writ of certiorari shall be had by serving a copy upon any member of the industrial commission or its secretary, which service shall be service upon the commission.

### 137.7-10. Certification of record--Transcript.

Section 7.10. The commission shall certify the record of the proceedings to the court. For the



purpose of a writ of certiorari, the record of the industrial commission shall consist of a transcript of all testimony taken at the hearing, together with all exhibits, or copies thereof, introduced in evidence, and all information secured by the industrial commission on its own initiative which was introduced in evidence at the hearing; a copy of the resolution or petition filed with the commission which initiated the investigation, and a copy of the decision filed in the cause, together with all objections filed with the industrial commission, if any.

137.7-11.      Order on appeal.)

Section 7.11. On such certiorari proceedings, the court may confirm or reverse the decision as a whole, or may reverse and remand the decision as a whole, or may confirm any of the rules contained in such decision, and reverse or reverse and remand with respect to other rules in said decision. The order of the court shall be a final and appealable order except as to such portion of the decision of the commission, or as to such rule or rules therein as may be remanded by the court.

The purpose of any remanding order shall be for the further consideration of the subject matter of the particular decision, rule or rules remanded.

137.7-12.      Scope of review.)

Section 7.12. No new or additional evidence may be introduced in the court in such proceeding but the cause shall be heard on the record of the industrial commission as certified by it. The court shall review all questions of law and fact presented by such record, and shall review questions of fact in

## HEALTH AND SAFETY ACT

in the same manner as questions of fact are reviewed by the court on certiorari proceedings under the Workmen's Compensation Act.

### 137.7-13. Jurisdiction.)

Section 7.13. The court first acquiring jurisdiction by virtue of the filing of a praecipe for writ of certiorari seeking to review any decision, rule or rules of the industrial commission, shall have and retain jurisdiction of such review and of all other reviews from the same decision, rule or rules until such review is disposed of in said court.

### 137.7-14. Intervention.)

Section 7.14. Any person who subsequently, and within the time herein provided, has filed praecipe for writ of certiorari, may intervene in said original cause in whatever county it may be pending by making a proper showing.

### 137.7-15. Subsequent returns--Intervenors.)

Section 7.15. The industrial commission, in making return to any writ of certiorari where praecipe is filed subsequent to the first praecipe involving the same subject matter, shall file as its return, a statement that the record has theretofore been filed, or is about to be filed, in response to the first praecipe theretofore filed.

At the time of making such subsequent return, the industrial commission shall mail to the attorneys whose names appear on the writ as attorneys for the petitioner therein, a true copy of such return filed with the court, which return shall state the county in which the first praecipe has been filed, the title and number of the case, and the return date of the



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first writ of certiorari. Any party filing such subsequent praecipe for writ of certiorari may intervene in the original proceeding or shall be foreclosed by the decision thereon.

Such intervenor shall be a party to the proceeding to the same extent as the party who had filed the first praecipe, and may raise any additional questions with respect to the subject matter by filing his specific objections in the court within such times as the court may direct.

### 137.7-16. Appeal.)

Section 7.16. Appeals from all final orders and judgments entered by the court in review of the decision, rule or rules of the industrial commission, may be taken as authorized by Sections 5 and 7 of Article VI of the Constitution by either party to the action within 45 days after the entry of the order of the court.

Appeals shall be in the manner provided by law for other civil cases.

### 137.7-17. Priority in hearing.)

Section 7.17. Any proceeding in any court affecting a decision, rule or rules of the industrial commission, shall have priority in hearing and determination over all other civil proceedings except election contests.

### 137.7-18. Representation by attorney general.)

Section 7-18. In all reviews or appeals under this Act, it is the duty of the Attorney General to represent the industrial commission and defend its decisions and rules.

(Secs. 7.01 thru 7.18 were added by Act approved Sept. 7, 1967.)

(As amended by P.A. 77-1644, approved Sept. 24, 1971)

## HEALTH AND SAFETY ACT

### 137.8 Effective date of rules.) Sec. 8.

(a) The Industrial Commission shall, in its decision, rule or rules, fix the effective date thereof; provided, no such decision, rule or rules shall become effective until ninety (90) days after the entry thereof by the industrial commission, nor shall any such decision, rule or rules become effective during the pendency of any proceedings for review or appeal thereof instituted pursuant to the provisions of this Act in which case such decision, rule or rules shall not become effective until such review or appeal, including appeal to the Supreme Court, if any, has been disposed of by final order and the mandate shall have been filed with the industrial commission, and until a period of time has elapsed after the filing of such mandate equal to the period of time between the date of the entry of such decision, rule or rules by the industrial commission and the effective date as originally fixed by said commission.

(b) All federal occupational safety and health standards which the Secretary of Labor shall promulgate, modify, or revoke, shall become effective as health and safety rules of the State of Illinois upon their effective date as federal standards.

(As amended by P.A.77-1644,  
approved Sept. 24, 1971.)

### 137.9. Practice and procedure.) Sec. 9.

The industrial commission shall make and publish rules as to its practice and procedure in carrying out the duties imposed upon it by this Act, which rules shall be deemed prima facie, reasonable and valid.



## SAFETY AND HEALTH ACT

137.10. Securing information--Inspection of premises.) Sec. 10. The owner, operator, manager or lessee of any place affected by the provisions of this Act and his agent, superintendent, subordinate or employee, and any employer affected by such provisions, shall, when requested by the industrial commission or any duly authorized agent thereof, furnish any information in his possession or under his control, which the industrial commission is authorized to require; shall answer truthfully all questions required to be put to him; shall admit any member of the industrial commission or its duly authorized representative to any place of employment which is affected by the provisions of this Act for the purpose of making inspection, and shall cooperate in the making of a proper inspection.

137.11. Issuance of subpoenas--Testimony.) Sec. 11. The industrial commission or any member thereof shall have power:

(a) To issue subpoenas for and compel the attendance of witnesses and the production of pertinent books, papers, documents or other evidence.

(b) To hear testimony and receive evidence and to take or cause to be taken, depositions of witnesses residing within or without this State in the manner prescribed by law for depositions in civil cases in the circuit court. Subpoenas and commissions to take testimony shall be under seal of the industrial commission.

## SAFETY AND HEALTH ACT

(c) Service of subpoenas may be made by any sheriff or any other person. The circuit court for the county where any hearing is pending, or any judge thereof, upon application of the industrial commission or any member thereof, may, in his discretion, compel the attendance of witnesses, the production of pertinent books, papers, records or documents and the giving of testimony before the industrial commission or any member thereof, by an attachment proceedings, as for contempt, in the same manner as the production of evidence may be compelled before the court.

(As amended by Act approved Sept. 7, 1967.)

### 137.12. Annual report.) Section 12.

The industrial commission shall make an annual report of its work under the provisions of this Act to the Governor on or before the first day of February of each year; and a biennial report to the Legislature on or before the first day of February of each odd-numbered year.

### 137.13. Action in name of Industrial Commission.

Sec. 13. All notices, orders, decisions, rules and other official action shall be in the name of the industrial commission.

### 137.14. Records of proceedings.) Section 14.

The industrial commission shall keep a full and complete record of all proceedings had before it or any member thereof, and all testimony shall be taken by a stenographer appointed by the industrial commission. The commission shall also keep records



## HEALTH AND SAFETY ACT

which will enable any employer, employee or their agents, to determine all action taken by the industrial commission with respect to the subject matter in which such employer and employee is interested. All such records shall be open to public inspection.

### 137.15 Publication of rules.) Section 15.

At least once each year, the industrial commission shall publish, in printed form, all of its rules made pursuant to Section 4 of this Act which are in full force and effect at the time of such publication.

### 137.16. Record on return to writ of certiorari.)

Section 16. The record required to be furnished by the industrial commission as a return to the writ of certiorari shall be furnished by the industrial commission without cost. In any appeal from the decisions of the circuit court to the Supreme Court under this Act, the clerk of such circuit court in making up the record for use in the Supreme Court, shall incorporate therein the original transcript filed by the industrial commission in such circuit court as a return to writ of certiorari, in lieu of a copy thereof.

(As amended by Act approved August 24, 1965.)

### 137.17. Enforcement of rules.)

Sec. 17. (a) It shall be the duty of the department of labor to enforce the rules of the industrial commission promulgated by virtue of this Act.

## HEALTH AND SAFETY ACT

(b) Any employers or employees or representatives of them who believe that a violation of a safety or health standards exist that threatens physical harm, or that an imminent danger exists, upon which the Department of Labor has failed to issue a notice of violation or take another enforcement action within a reasonable time after a complaint has been made to the Department of Labor may request a hearing before the Industrial Commission by filing a written petition, setting forth the details and providing a copy to the employer or his agent and the Department of Labor. The Attorney General upon request of the Industrial Commission shall prosecute any violation of any law which probable cause shall be determined to exist after hearing on the aforesaid petition.  
(As amended by P.A.77-1644, approved Sept. 24,1971.)

~~137.18~~ Violation of rules.) Section 18.  
(Repealed by P.A.77-1644, approved Sept. 24, 1971.)

137.19. Title of act.) Section 19. This Act shall be known and may be cited as the "Health and Safety Act."

137.20 Acts repealed--Rules of Industrial Commission.) Section 20. That "An act to provide for the health, safety and comfort of employees in factories, mercantile establishments, mills and workshops in this State, and to provide for the enforcement thereof, and to repeal an Act entitled, 'An Act to provide for the health, safety and comfort of employees in factories, mercantile establishments,



## HEALTH AND SAFETY ACT

mills and workshops in this State, and to provide for the enforcement thereof,' approved June 4, 1909,'" approved June 29, 1915, as amended, be and the same hereby is repealed, such repeal to take effect March 1, 1938. If, however, the Industrial Commission shall make any rules pursuant to Section 4 of this Act, and it is designated in such rule that it is to replace any section or part of the said Act, and such rule becomes effective prior to March 1, 1938, then such section or part of the said Act shall replace such provision of the statute designated in such rule upon the effective date of said rule of the Industrial Commission, and that Section 4, of "An Act in relation to employments creating poisonous fumes or dust in harmful quantities, and to provide for the enforcement thereof," approved June 29, 1915, be and the same hereby is repealed, such repeal to take effect October 1, 1936; and that "An Act providing for the reporting, compiling and publishing of information concerning accidents to and deaths by accidents of employees," approved May 24, 1907, be and the same hereby is repealed, such repeal to take effect upon the passage of this act.

(As amended by Act filed July 13, 1937.)

### 137.21. Existing rights saved.) Section 21.

No repeal of any Act herein contained shall extinguish or in any way affect the right of action thereunder, existing at the time this Act takes effect.

APPROVED March 16, 1936. As amended by act filed July 13, 1937, and Acts approved July 11, 1941, August 24, 1965, and September 7, 1967; and P.A.77-1644, approved September 24, 1971.

RULES and REGULATIONS Issued Under  
ILLINOIS HEALTH AND SAFETY ACT

The Illinois Health and Safety Act, Sections 4(b) and 8(b) state:

4(b) "All federal occupational safety and health standards which the Secretary of Labor shall promulgate, modify or revoke in accordance with the Federal Occupational Safety and Health Act of 1970, shall be rules of the Illinois Industrial Commission unless the Illinois Industrial Commission shall make, promulgate and publish an alternative State rule at least as effective in providing safe and healthful employment and places of employment as the federal standard."

Effective date of rules

8(b) "All federal occupational safety and health standards which the Secretary of Labor shall promulgate, modify, or revoke, shall become effective as health and safety rules of the State of Illinois upon their effective date as federal standards."

(As amended by P.A.77-1644, approved and effective Sept.24,1971)

Under these statutory provisions the following Federal Standards issued under the Federal Occupational Safety and Health Act of 1970 are also rules of the State of Illinois.

Part 1910 Occupational Safety and Health Standards;  
National Consensus and Established Federal  
Standards, published in the Federal Register,  
Vol. 36, No. 105, May 29, 1971.

and

Part 1518 Safety and Health Regulations for  
CONSTRUCTION, published in the Federal Register,  
Vol. 36, No. 75, April 17, 1971.

(Standards under revision.)

Copies of the Federal Standards may be obtained from:  
Occupational Safety and Health Administration  
300 S. Wacker Drive, 12th Fl., Chicago, Ill. 60606

Tel. 353-4716



RULES AND REGULATIONS ISSUED UNDER  
HEALTH AND SAFETY ACT

Promulgated by the Industrial Commission  
Enforced by Illinois Department of Labor

Part A. Scope Code.

Part A. Purpose and Application, Scope, Arrangements and Numbering, Definitions, and Interpretation of Health and Safety Rules.

(Effective May 1, 1938; amended March 1, 1955.)

Note of Explanation: The rules in Parts B to Q apply whenever the subject matter of such rules exists in all businesses, occupations, or enterprises having employees, and is not limited merely to those industries and occupations named in the title.

Part B. Machine Guarding Code.

Part B. Rules and Regulations relating to Guarding of Mechanical Power-Transmission Apparatus, Prime Movers, and Moving Parts of Machinery, and Guarding of Operation of Machinery.

(Effective May 1, 1938, amended September 1, 1944.)

Part C. Grinding Code.

Part C. Rules relating to Removal of Dusts, Vapors, Fumes or Gases from Grinding, Polishing and Buffing Operations.

(Effective July 15, 1938; amended March 1, 1955.)

(NOTE: Copies of these Rules, Parts A-Q, may be obtained from the Industrial Commission,  
160 North LaSalle St., Chicago, Illinois 60601.)

# RULES AND REGULATIONS UNDER HEALTH & SAFETY ACT

## Part D. Tunnel Code.

Part D. Rules relating to Construction of Underground Tunnels, whether or not such Construction is Under Compressed Air except as hereinafter stated.

(Effective November 1, 1939.)

## Part E. Paint Coating Code.

Part E. Rules and Regulations relating to the Removal of Dusts, Gases, Vapors, Fumes and Mists released from Spray, Flow, Dip and Brush Coating Operations.

(Effective January 15, 1941.)

## Part F. Foundry Code.

Part F. Rules and Regulations relating to the Safety and Health of Workers Employed in Ferrous and Non-Ferrous Operations where castings of Base Metal are made and shall include all operations in connection therewith.

(Effective May 1, 1941.)

Part G. Industrial Housekeeping and Sanitation Code. Part G. Rules and Regulations relating to Industrial Housekeeping and Sanitation, and Wash, Locker, Rest, Toilet and Lunch Room Requirements.

(Effective September 1, 1944.)



# RULES AND REGULATIONS UNDER HEALTH & SAFETY ACT

## Part H. Ladder Code.

Part H. Rules and Regulations relating to various Types of Ladders and Stages.

(Effective February 1, 1949;  
amended June 22, 1953 and July 19, 1962.)

## Part I. Scaffold Code.

Part I. Requirements for Scaffolds, Staging, Ladders and other Equipment for use in Constructing, Erecting, Repairing, Servicing and Demolishing Buildings, Structures or other Objects.

(Effective January 20, 1950;  
amended June 22, 1953; 1961; and July 19, 1962.)

## Part J. Labeling Code.

Part J. Rules and Regulations relating to Labeling in the Use, Handling and Storage of Substances Harmful to the Health and Safety of Employees.

(Effective June 15, 1951.)

## Part K. Roofing Code.

Part K. Rules and Regulations relating to Health and Safety of Workers Employed in the Handling and Application of Tar, Pitch, Asphalt and Other Bituminous Mixtures in Construction Operations.

(Effective July 1, 1953.)

# RULES AND REGULATIONS UNDER HEALTH & SAFETY ACT

## Part L. Welding Code.

Part L. Rules and Regulations relating to the Health and Safety of Workers Engaged in Gas and Electric Cutting, Welding, Brazing, Soldering and Similar Operations.

(Effective March 1, 1955.)

## Part M. Shoring of Trenches.

Part M. Rules and Regulations relating to the shoring of trenches.

(Effective July 19, 1962.)

## Part N.

Part N. Rules and Regulations Relating to Work Done in Proximity to Overhead Power Lines; Guy Derricks in Permanent Locations; Overhead Cranes; Crawler, Locomotive, Truck and Wheel mounted Cranes; and Hoisting Accessories

(Effective October 1, 1969.)

## Part O. Head and Hair Protection Rule.

(Effective July 28, 1971.)

## Part P. Occupational Noise Exposure Rule.

(Effective July 28, 1971.)

## Part Q. Powder-Actuated Fastening Tools.

(Effective December 28, 1971.)



SAFETY INSPECTIONS AND EDUCATION IN  
INDUSTRIAL AND COMMERCIAL ESTABLISHMENTS ACT  
(Ill. Rev. Stat., Ch. 48, § § 59.1-59.9)

Sec.

1. Safety Inspection and Education Division.
2. Powers and duties of division—Right of entry—  
Inspection authority—Employer to furnish informa-  
tion—Advance notice inspection prohibited—  
Imminent danger—Citation for violations—  
Hearings—Appeals—Judicial review—Penalties.
3. Advisory Committee.
4. Advisory Committee membership.
5. Advisory Committee term—Expenses
6. Advisory Committee Annual Report
7. Employment—Laws governing.
8. Prosecution for violations—Prerequisite.
9. Annual reports to governor.

AN ACT in relation to safety inspections and education  
in industrial and commercial establishments  
and to repeal an Act therein named.

Be it enacted by the People of the State of  
Illinois, represented in the General Assembly:

59.1. Safety Inspection and Education Division.)

SECTION 1. The Department of Labor, hereinafter  
called the Department, shall, for the purpose of  
administering the provisions of this Act, maintain a  
division to be known as the Division of Safety In-  
spection and Education, hereinafter called the  
Division.

(As amended by Act approved July 28, 1961.)

Note: Headings for Secs. 2-6 supplied by Illinois  
Department of Labor.

59.2. Powers and duties of division--Right of entry--Inspection authority--Employer to furnish information--Advance notice inspection prohibited--Imminent danger--Citation for violations--Hearings--Appeals--Judicial review--Penalties. Section 2.

(a) The Department, through the employees of the Division shall enforce the rules promulgated under the Illinois Health and Safety Act and any occupational health and safety laws relating to inspection of places of employment, and shall visit and inspect, as often as practicable, the places of employment covered by this Act.

(b) The Director of Labor and his authorized representatives upon presenting appropriate credentials to the owner, operator or agent in charge is authorized to have the right of entry and inspections of all places of all employment in the State as follows:

1. To enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer in order to enforce such occupational safety and health standards;

2. To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent or employee.

3. The owner, operator, manager or lessees of any place affected by the provisions of this Act and his agent, superintendent, subordinate or



SAFETY INSPECTIONS AND EDUCATION ACT, Sec. 2(b) (cont.)

employee, and any employer affected by such provisions shall when requested by the Division of Safety Inspection and Education, or any duly authorized agent thereof, furnish any information in his possession or under his control which the Department of Labor is authorized to require, and shall answer truthfully all questions required to be put to him and shall cooperate in the making of a proper inspection.

(c) Any person who shall give advance notice of any inspection to be conducted under the authority of this Act without authority from the Director of Labor, or his authorized representative, upon conviction, shall be punished by a fine of not more than one thousand dollars (\$1,000.00), or imprisonment in a penal institution other than the penitentiary for not more than six (6) months, or both.

(d) 1. In the enforcement of the provisions of the Health and Safety Act and any other occupational safety and health act enforced by the Department of Labor, the Director of Labor and his authorized agents, upon finding any violation shall with reasonable promptness issue a citation to the employer.

Each citation shall be in writing and shall describe with particularity the nature of the violation, including a reference to the act, standard, rule, regulation or order alleged to have been violated. In addition, the citation shall fix a reasonable time for the abatement of the violation.

The Director of Labor may prescribe procedures for the issuance of a notice in lieu of a citation with respect to non-serious violations. No citation may be issued after the expiration of six months following the occurrence of the violation.

SAFETY INSPECTIONS AND EDUCATION ACT (Sec. 2(d) cont.)

Such citation shall be served on the employer, owner, operator, manager or agent by delivering an exact copy to the person upon whom the service is to be had, or by leaving a copy at his usual place of business or abode, or by sending a copy thereof by mail to his place of business.

2. An employer, firm or corporation, or an agent, manager or superintendent or a person for himself, or for other such person, firm or corporation, after receiving a citation from the Director of Labor or his authorized agent that he is in violation of this Act, or of any occupational safety or health standard or rule, may within 15 working days of receipt of such citation request in writing a hearing before the Industrial Commission for an appeal from the citation order.

The Industrial Commission shall schedule a hearing within 15 calendar days after receipt of such request for an appeal from the citation order and shall notify all interested parties of such hearing. Such hearing shall be held no later than 45 calendar days after the date of receipt of such appeal request.

The Industrial Commission shall afford a hearing to the employer or his representatives, at which hearing the employer shall state his objections to such citation and provide evidence why such citation shall not stand as entered. The Director of Labor or his representative shall be given the opportunity to state his reasons for entering such violation citation. Affected employees shall be provided an opportunity to participate as parties to hearings under the rules of procedure prescribed by the Industrial Commission. -26-



The Industrial Commission in consideration of the evidence presented at the hearing shall in accordance with its rules enter a final decision and order no later than 15 calendar days after such hearing.

Any party adversely affected by a final violation order or determination of the Industrial Commission may obtain judicial review by filing a petition for review within 35 days after the entry of the order or other final action complained of, pursuant to the provisions of the "Administrative Review Act", approved May 3, 1945, as amended and the rules adopted pursuant thereto.

3. When the Director of Labor finds that a person, firm, or corporation has failed or neglected to comply with the citation order within 30 days after the time allowed for abatement of the violation which is referred to in the citation, or obstructs or interferes with an investigation, the Director of Labor shall petition a court of competent jurisdiction for appropriate relief against such employer including an order directing such employer to comply with the correction order cited in the violation citation.

4. An employer who fails or neglects to comply with a rule made pursuant to the Health and Safety Act, or who obstructs or interferes with an examination or investigation being made by the Department of Labor or its authorized agents under this Act or any other occupational safety and health acts enforced by the Department of Labor upon conviction shall be guilty of a misdemeanor and the penalty shall be as follows:

SAFETY INSPECTIONS AND EDUCATION ACT (Sec 2(d)4 cont.)

(a). Any employer who has received a citation for violations of any standard or rule or order not of a serious nature may be assessed a civil penalty of up to \$1,000 for each such violation.

(b). Any employer who has received a citation for a serious violation of any standard, or rule, or order shall be assessed a civil penalty up to \$1,000 for each such violation.

(c). Any employer who fails to correct a violation for which a citation has been issued within the period permitted may be assessed a civil penalty of up to \$1,000 for each day the violation continues.

(d). Any employer who willfully violates any standard, or rule, or order, and that violation caused death to any employee, upon conviction, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both. If the conviction is for a violation after a first conviction, punishment shall be by a fine of not more than \$20,000 or by imprisonment for not more than one year, or both.

(e). Any employer who willfully or repeatedly violates the requirements of any standard, or rule, or order may be assessed a civil penalty of not more than \$10,000.



SAFETY INSPECTIONS AND EDUCATION ACT  
(Sec. 2(d)4 cont.)

(f) Whoever knowingly makes a false statement, representation, or certification in any application, record, report, plan or other document required pursuant to this Act, upon conviction, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both.

For purposes of this section, a serious violation shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use, in such place of employment unless the employer did not know and could not with the exercise of reasonable diligence, have known of the presence of the violation as specifically determined.

5. Whenever the Director is of the opinion that imminent danger exists in the working conditions of any employee in this State, which condition can reasonably be expected to cause death or serious physical harm, the Director may petition a court of competent jurisdiction for appropriate relief against an employer and employee, including an order directing the employer or employee to cease and desist from the practice creating the imminent danger.

## SAFETY INSPECTIONS AND EDUCATION ACT (Sec.2(e) )

(e) The Department through the employees of the Division shall foster and promote safety practices.

1. The Department shall encourage employers and organizations and groups of employees to institute and maintain safety education programs for employees and promote the observation of safety practices. The Department may furnish safety education material and literature and may advise and cooperate with employers and organizations and groups of employees in the conduct of safety education programs and in the observation of safety practices. The Department shall through the Division enforce the provisions of this Act, and any other law relating to the inspection of places of employment in the State.

(As amended by P.A.77-1801 approved and effective Jan.4, 1972.)

59.3. Advisory Committee appointed by Governor.)  
Section 3. The Governor shall appoint a Safety Inspection and Education Advisory Committee to consider existing state safety and health inspections, enforcement and education practices and suggest changes. The Chairman of the Safety Inspection and Education Advisory Committee shall be appointed by the Governor. The Director of the Illinois Department of Labor and the Chairman of the Illinois Industrial Commission, or their representatives, shall serve as ex officio members.



# SAFETY INSPECTIONS AND EDUCATION ACT

## 59.4. Advisory Committee membership.)

Section 4. The Safety Inspections and Education Advisory Committee shall be comprised of five recognized representatives of management, five recognized representatives of labor, and five public members who are recognized as experienced in the field of safety and health inspections.

(As amended by P.A.77-1801,  
approved and effective January 4, 1972.)

## 59.5. Advisory Committee term--expenses.)

Section 5. Members of the committee shall serve for a term of three years and shall meet during each year of their appointment as frequently as the committee shall deem necessary. Members of the Safety Inspection and Education Advisory Committee shall receive travel and other expenses reasonably incurred in performance of their responsibilities as committee members.

(As amended by P.A.77-1801,  
approved and effective January 4, 1972.)

## 59.6. Advisory Committee annual report.)

Section 6. The Safety Inspections and Education Advisory Committee shall prepare and submit an annual report of their activities to the Illinois Department of Labor for its consideration.

(As amended by P.A.77-1801,  
approved and effective January 4, 1972.)

## SAFETY INSPECTIONS AND EDUCATION ACT

### 59.7. Employment--Laws governing.)

Section 7. Employees in the Division shall be employed subject to the provisions of the Personnel Code and "An Act to define and regulate participation in politics, political management or political campaigns by merit employees of the State."

(As amended by Act approved July 28, 1961.)

### 59.8. Prosecution for violations--Pre-requisite.

Section 8. Before any prosecution is instituted based upon the laboratory findings of any industrial hygiene unit of the Department, any person dissatisfied with such findings shall be entitled to have an independent review thereof made by the central laboratory of the Department of Public Health.

The Attorney General, upon request of the Department, shall prosecute any violation of any law which the Department has the duty to administer and enforce.

(As amended by Act approved July 28, 1961.)

### 59.9. Annual reports to governor.).

Section 9. The Director of Labor shall, in the annual report to the Governor required by "The Civil Administrative Code of Illinois", report the result of inspections and investigations made of such establishments, together with such other information and recommendations as he deems proper.

(As amended by Act approved July 28, 1961.)

APPROVED July 18, 1955.

As amended by Acts approved July 28, 1961 and P.A.77-1801 approved January 4, 1972.



# S T R U C T U R A L   W O R K   L A W

(Ill. Rev. Stat., Ch. 48, §§ 60-69)

Sec.

1. Scaffolds, cranes, ladders, etc.--Erection and construction.
2. Intermediate supports for joists, etc.
3. Placard stating load permitted--Verification.
4. Inspection--Notice of dangerous scaffolding--Alteration and reconstruction--Free access--Devices regulated--Weight to be borne.
5. Work on water pipe, smoke stack tower, etc.

Sec.

6. Flooring--Filling--Plank over beams, etc.
7. Elevating machines--Openings to be enclosed--Barricading streets--Enforcement of provisions.
- 7a. Signals--Elevating machines.
8. Plans must provide for required structural features--Penalty.
9. Penalties--Enforcement--Attorney's fees--Actions for injuries or death.

AN ACT providing for the protection and safety of persons in and about the construction, repairing, alteration, or removal of buildings, bridges, viaducts, and other structures, and to provide for the enforcement thereof.

60. Scaffolds, cranes, ladders, etc.--Erection and construction.) SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That all scaffolds, hoists, cranes, stays, ladders, supports, or other mechanical contrivances, erected or constructed by any person, firm or corporation in this State for the use in the erection, repairing, alteration, removal or painting of any house, building, bridge, viaduct, or other structure, shall be erected and constructed in a safe, suitable

## Structural Work Law (Sec. 1 cont.)

and proper manner, and shall be so erected and constructed, placed and operated as to give proper and adequate protection to the life and limb of any person or persons employed or engaged thereon, or passing under or by the same, and in such manner as to prevent the falling of any material that may be used or deposited thereon.

Scaffold, or staging, swung or suspended from an overhead support more than twenty (20) feet from the ground or floor shall have, where practicable, a safety rail properly bolted, secured and braced, rising at least thirty-four (34) inches above the floor or main portion of such scaffolding or staging, and extending along the entire length of the outside and ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

### 61. Intermediate supports for joists, etc.

Section 2. If in any house, building or structure in process of erection or construction in this State (except a private house, used exclusively as a private residence), the distance between the enclosing walls, is more than twenty-four (24) feet, in the clear, there shall be built, kept, and maintained, proper intermediate supports for the joists, which supports shall be either brick walls, or iron or steel columns, beams, trusses or girders, and the floors in all such houses, buildings or structures, in process of erection and construction, shall be designed and constructed



## Structural Work Law (Sec. 2 cont.)

in such manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions and permanent fixtures and mechanisms that may be set upon the same, a live load of fifty (50) pounds for every square foot of surface in such floors, and it is hereby made the duty of the owner, lessee, builder or contractor or subcontractor, of such house, building or structure, or the superintendent or agent of either, to see that all the provisions of this section are complied with.

62. Placard stating load permitted--Verification.)  
Section 3. It shall be the duty of the owner of every house, building or structure (except a private house used exclusively as a private residence) now under construction or hereafter to be constructed, to affix and display conspicuously, on each floor of such building during construction, a placard stating the load per square foot of floor surface, which may with safety be applied to that particular floor during such construction; or if the strength of different parts of any floor varies, then there shall be such placards for each varying part of such floor. It shall be unlawful to load any such floors or any part thereof to a greater extent than the load indicated on such placards, and all such placards shall be verified and approved by the Director of Labor or by the local commissioner or inspector of buildings or other proper authority in the city, town or village charged with the enforcement of building laws.

(As amended by Act approved July 11, 1951.)

Structural Work Law (Sec. 4)

63. Inspection--Notice of dangerous scaffolding--  
Alteration and reconstruction--Free access--Devices  
regulated--Weight to be borne.)

Section 4. Whenever it shall come to the notice of the Director of Labor or the local authority in any city, town or village in this State charged with the duty of enforcing the building laws, that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any swinging or stationary scaffolding, platform or other similar device used in the construction, alteration, repairing, removing, cleaning or painting of buildings, bridges or viaducts within this State are unsafe or liable to prove dangerous to the life or limb of any person, the Director of Labor or such local authority or authorities shall immediately cause an inspection to be made of such scaffolding, platform or device, or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination, such scaffolding, platform or device or any of such parts is found to be dangerous to the life or limb of any person, the Director of Labor or such local authority shall at once notify the person responsible for its erection or maintenance of such fact, and warn him against the use, maintenance or operation thereof, and prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. Such notice may be served personally upon the person responsible for its erection or maintenance, or by conspicuously affixing it to the scaffolding, platform or other such device, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible therefor shall cease



## Structural Work Law (Sec. 4 cont.)

using and immediately remove such scaffolding, platform or other device, or part thereof, and alter or strengthen it in such manner as to render it safe.

The Director of Labor or such local authority, whose duty it is under the terms of this Act to examine or test any scaffolding, platform or other similar device, or part thereof, required to be erected and maintained by this section, shall have free access at all reasonable hours to any building, structure or premises containing such scaffolding, platform or other similar device, or parts thereof, or where they may be in use. All swinging and stationary scaffolding, platforms and other devices shall be so constructed as to bear four times the maximum weight required to be dependent therein, or placed thereon, when in use, and such swinging scaffolding, platform or other device shall not be so overloaded or overcrowded as to render the same unsafe or dangerous.

(As amended by Act approved July 11, 1951.)

### 64. Work on water pipe, smoke stack tower, etc.)

#### Section 5.

That any person, firm or corporation in this State, hiring, employing or directing another to perform labor of any kind, in the erecting, repairing, altering or painting of any water pipe, stand pipe, tank, smoke stack, chimney, tower, steeple, pole, staff, dome or cupola, when the use of any scaffold, staging, swing, hammock, support, temporary platform or other similar contrivance are required or used, in the performance of such labor, shall keep and maintain at all times, while such labor is being performed, and such mechanical device is in use or operation, a safe and proper

## Structural Work Law (Sec. 5 cont.)

scaffold, stay, support or other suitable device, not less than sixteen (16) feet or more below such working scaffpld, staging, swing, hammock, support or temporary platform, when such work is being performed at a height of thirty-two (32) feet, for the purpose of preventing the person or persons performing such labor, from falling in case of any accident to such working scaffold, staging, swing, hammock, support or temporary platform.

65.    Flooring--Filling    -- Plank over beams, etc.  
Section 6. All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are fire-proof material or brick work, shall complete the flooring or filling in as the building progress, to not less than within three tiers or beams below that on which the iron work is being erected. If the plans and specifications of such buildings do not require filling in between the beams or floors with brick or fire-proof material, all contractors for carpenter work in the course of construction shall lay the under flooring thereof or a safe temporary floor on each story as the building progresses to not less than within two stories or floors below the one to which such building has been erected. Where double floors are not to be used, such owner or contractor shall keep planked over the floor two stories or floors below the story where the work is being performed. If the floor



beams are of iron or steel the contractors for the iron or steel work of buildings in the course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work and for the raising and lowering of materials, to be used in the construction of such buildings, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts.

66. Elevating machines--Openings to be enclosed--Barricading streets--Enforcement of provisions.)  
Section 7. If elevating machines or hoisting apparatus are used within a building in the course of construction for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a substantial barrier or railing at least eight feet in height. Any hoisting machine or engine used in such building construction shall, where practicable, be set up or placed on the ground, and where it is necessary in the construction of such building to place such hoisting machine or engine on some floor above the ground floor, such machine or engine must be properly and securely supported with a foundation capable of safely sustaining twice the weight of such machine or engine. If a building in course of construction is five stories or more in height, no material needed for such construction shall be hoisted

## Structural Work Law (Sec. 7 cont.)

or lifted over public streets or alleys unless such street or alley shall be barricaded from use by the public. The chief officer in any city, town or village charged with the enforcement of local building laws, and the Director of Labor are hereby charged with enforcing the provisions of this Act. Provided, that in all cities in this State where a local building commissioner is provided for by law, such officer shall be charged with duty of enforcing the provisions of this Act, and in case of his failure, neglect or refusal so to do, the Director of Labor shall, pursuant to the terms of this Act, enforce the provisions thereof.

(As amended by Act approved July 11, 1951.)

### 67. Signals--Elevating machines.)

Section 7a. If elevating machines or hoisting apparatus, operated or controlled by other than hand power, are used in the construction, alteration or removal of any building or other structure, a complete and adequate system of communication by means of signals shall be provided and maintained by the owner, contractor or sub-contractor, during the use and operation of such elevating machines or hoisting apparatus, in order that prompt and effective communication may be had at all times between the operator of engine or motive power of such elevating machine and hoisting apparatus, and the employees or persons engaged thereon, or in using or operating the same.

### 68. Plans must provide for required structural features--Penalty.)

Sec. 8. It shall be the duty of all architects or draftsmen engaged in preparing plans, specifications



or drawings to be used in the erection, repairing, altering or removing of any building or structure within the terms and provisions of this Act to provide in such plans, specifications and drawings for all the permanent structural features or requirements specified in this Act; and any failure on the part of such architect or draftsman to perform such duty, shall subject such architect or draftsman to a fine of not less than twenty-five (\$25.00) dollars nor more than two hundred (\$200.00) for each offense.

69. Penalties--Enforcement--Attorney's fees--  
Actions for injuries or death.)

Section 9. Any owner, contractor, sub-contractor, foreman or other person having charge of the erection, construction, repairing, alteration, removal or painting of any building, bridge, viaduct or other structure within the provisions of this Act, shall comply with all the terms thereof, and any such owner, contractor, sub-contractor, foreman or other person violating any of the provisions of this Act shall upon conviction thereof be fined not less than \$25, nor more than \$500 or imprisoned for not less than three months nor more than two years or both fined and imprisoned in the discretion of the court.

And in case of any such failure to comply with any of the provisions of this Act, the Director of Labor may, through the State's Attorney, or any other attorney in case of his failure to act promptly, take the necessary legal steps to enforce compliance therewith.

## Structural Work Law (Sec. 9 cont.)

If it becomes necessary, through the refusal or failure of the State's attorney to act, for any other attorney to appear for the State in any suit involving the enforcement of any provision of this Act, reasonable fees for the services of such attorney shall be allowed by the board of supervisors or county commissioners in and for the county in which such proceedings are instituted.

For any injury to person or property, occasioned by any wilful violations of this Act, or wilful failure to comply with any of its provisions, a right of action shall accrue to the party injured, for any direct damages sustained thereby; and in case of loss of life by reason of such wilful violation or wilful failure as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heir or adopted children, or to any person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages for the injuries sustained by reason of such loss of life or lives.

(As amended by Act approved July 11, 1951.)

APPROVED June 3, 1907. As amended by Act approved July 11, 1951.



**WASHROOMS IN CERTAIN EMPLOYMENTS**  
(Ill. Rev. Stat., Ch. 48, §§ 98-102)

Sec.

1. Application of Act.
2. Arrangement, number and how provided.
3. Inspection by proper authorities--Inspector may close.

Sec.

4. Penalty for violation.
5. Succeeding offenses.

AN ACT to provide for washrooms with toilet facilities in certain employments to protect the health of employees and secure public comfort.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

98. Application of Act.) SECTION 1.

Every owner or operator of a coal mine, steel mill, foundry, machine shop, railroad, or other like business in which employees become covered with grease, smoke, dust, grime and perspiration to such extent that to remain in such condition after leaving their work without washing and cleansing their bodies and changing their clothing, will endanger their health or make their condition offensive to the public, shall provide and maintain a suitable and sanitary washroom, with an adequate quantity of soap containing bland non-irritating detergents which effectively cleanse the skin, at a convenient place where employees are required to report for duty or are relieved from duty, in or adjacent to such mine, mill, foundry, shop, railroad or other place of employment for the use of such employees.

(As amended by Act approved July 9, 1937.)

## WASHROOMS

### 99. Arrangement, number and how provided.)

Section 2. Such wash rooms shall be so arranged that employees may change their clothing therein, and shall be sufficient for the number of employees engaged regularly in such employment; shall be provided with lockers or hangers in which employees may keep their clothing; shall be provided with an adequate supply of safe, clean and potable water satisfactory for drinking purposes dispensed in a sanitary manner, an adequate supply of safe, clean, hot and cold water satisfactory for shower and bathing purposes and with sufficient and suitable places and means for using the same; a sufficient number of showers for the use of employees who regularly use said wash room; and adequate toilet facilities, properly enclosed; and during cold weather shall be sufficiently heated. The floor space necessary for the men to dress in such wash room shall not be less than seven square feet per man regularly dressing in such wash room at any one time.

(As amended by Act approved July 8, 1947.)

100. Inspection by proper authorities--Inspector may close.) Section 3. All State and county mine inspectors, the Department of Labor and other inspectors required to inspect places and kinds of business required by this act to be provided with wash rooms, shall inspect such wash rooms at frequent intervals and report to the owner or operator, the sanitary and physical condition thereof in writing, and make recommendations as to such improvements or changes as may appear to be necessary for compliance



## WASHROOMS (Sec. 3 cont.)

with this Act. Any such inspector may lock and close any washroom found to be in violation of this Act, and may institute proceedings to enforce the penalty provided in Section 4.

(As amended by Act approved July 8, 1947.)

### 101. Penalty for violation.) Section 4.

Any owner or employer who shall fail or refuse to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than two hundred dollars.

(As amended by Act approved July 9, 1937.)

### 102. Succeeding offenses.) Section 5.

Any owner or employer who shall be convicted of a violation of the provisions of this Act shall be subject to a conviction for succeeding offenses for each and every day he shall neglect or refuse to comply herewith.

APPROVED June 26, 1913. As amended by Acts approved July 9, 1937 and July 8, 1947.

The first part of the chapter discusses the role of the state in the development of the economy. It argues that the state has played a crucial role in the process of industrialization and modernization. The second part of the chapter discusses the role of the state in the development of the social system. It argues that the state has played a crucial role in the process of socialization and the formation of social norms.

The third part of the chapter discusses the role of the state in the development of the political system. It argues that the state has played a crucial role in the process of politicalization and the formation of political norms. The fourth part of the chapter discusses the role of the state in the development of the cultural system. It argues that the state has played a crucial role in the process of culturalization and the formation of cultural norms.

The fifth part of the chapter discusses the role of the state in the development of the economic system. It argues that the state has played a crucial role in the process of economicization and the formation of economic norms. The sixth part of the chapter discusses the role of the state in the development of the social system. It argues that the state has played a crucial role in the process of socialization and the formation of social norms.

The seventh part of the chapter discusses the role of the state in the development of the political system. It argues that the state has played a crucial role in the process of politicalization and the formation of political norms. The eighth part of the chapter discusses the role of the state in the development of the cultural system. It argues that the state has played a crucial role in the process of culturalization and the formation of cultural norms.

The ninth part of the chapter discusses the role of the state in the development of the economic system. It argues that the state has played a crucial role in the process of economicization and the formation of economic norms. The tenth part of the chapter discusses the role of the state in the development of the social system. It argues that the state has played a crucial role in the process of socialization and the formation of social norms.



WORK UNDER COMPRESSED AIR ACT  
(Ill. Rev. Stat., Ch. 48, §§ 261-263)

<u>Sec.</u>		<u>Sec.</u>	
1.	Definitions.	5.	Penalties.
2.	Working periods and rest intervals.	6.	Enforcement of act.
		7.	Partial invalidity.
		8.	Short title.
3.	Decompression, rate of.		
4.	Observance of act.		

AN ACT in relation to employment under compressed air.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

261. Definitions) SECTION 1. When used in this Act, unless the context indicates otherwise, the term

(a) "Caisson" means a wood, steel, concrete or reenforced concrete air-tight and water-tight chamber in which it is possible for men to work to excavate material.

(b) "Lock" means a chamber designed to facilitate the passage of men and materials from an air pressure greater than normal, as in a compartment, caisson or tunnel, to the ground or water level or normal air pressure.

(c) "Pressure" means gauge air pressure in pounds per square inch.

(d) "Tunnel" means a subterranean passage or chamber.

262. Working periods and rest intervals.) Sec. 2.

The working period of any person under compressed air in any compartment, caisson, tunnel or places shall be divided into two periods under compressed air with an interval of rest between the two periods. If the air pressure exceeds fifteen pounds per square inch, the said interval of rest must be spent in the open air. Persons who have not previously worked in compressed air, when the air pressure exceeds fifteen pounds per square inch, shall work therein only one of the two said periods during the first twenty-four hours of their employment. Except in cases of extreme emergency no person shall be employed or subjected to pressure exceeding fifty pounds per square inch. The maximum number of hours to each period and the minimum rest intervals between the periods during any twenty-four hours for any pressure as given in columns one and two of the following table shall be set opposite such pressure in columns three, four, five, six and seven of said table:

Periods and Intervals of Work For Each 24-Hour Period

Pressure		H o u r s				
More than minimum no. of lbs.	Not more than maximum no. of lbs.	Maximum total hours	First period in compressed air hours	Minimum interval of rest		Maximum Second Period in compressed air-hours
				In open air-hours	hours	
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Normal	15	8	*		1/3	*
15	26	6	3	1		3
26	33	4	2	2		2
33	38	3	1½	3		1½
38	43	2	1	4		1
43	48	1½	¾	5		¾
48 or over		1	½	6		½

See following page for footnote.



Footnote for Table on Periods and Intervals of Work

\* The employer may determine the time of each period when the pressure is not more than fifteen pounds per square inch, provided that the total for the periods does not exceed eight hours. The limits or hours as specified in said table shall apply according to the maximum pressure attained at any time during the period.

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263. Decompression, rate of.) Section 3.

No person employed in compressed air shall be permitted to pass from the working chamber to normal air, except after decompression in a lock as follows:

(a) Where the air pressure is greater than normal and not more than fifteen pounds per square inch, the time of decompression shall be at least two minutes;

(b) Where the air pressure is more than fifteen pounds per square inch, and not more than twenty-six pounds per square inch, decompression shall be at the average rate of not more than three pounds per minute;

(c) Where the air pressure is more than twenty-six pounds per square inch, and not more than thirty-three pounds per square inch, decompression shall be at the average rate of not more than two pounds per minute;

(d) Where the air pressure is more than thirty-three pounds per square inch, decompression shall be at the average rate of not more than one pound per minute;

(e) Where the air pressure is more than fifteen pounds per square inch, a stage decompression shall be used in which a drop of one-half the maximum gauge pressure shall be at the rate of five pounds per minute. The remaining decompression shall be at a uniform rate

and the total time of decompression shall equal the time specified for the original maximum pressure;

(f) The time of decompression shall be posted in each man lock.

264. Observance of act.) Section 4. Every employer of workers in compressed air and every agent, foreman, manager or superintendent thereof in charge of such work, shall be responsible for the observance of this Act.

265. Penalties.) Section 5. Any employer of workers under compressed air or any agent, foreman, manager or superintendent thereof in charge of such work, who violates any of the provisions of this Act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished for the first offense by a fine of not less than Twenty-Five (\$25.00) Dollars and not more than One Hundred (\$100.00) Dollar and upon conviction of a second or subsequent offense shall be fined not less than Fifty (\$50.00) Dollars and not more than Two Hundred (\$200.00) Dollars; and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law.

266. Enforcement of Act.) Section 6. It shall be the duty of the Department of Labor to enforce the provisions of this Act and prosecute all violations of the same before any Court of competent jurisdiction



## COMPRESSED AIR

in this State, and for that purpose the Department of Labor, its officers and duly authorized employees are hereby empowered to visit and inspect at all reasonable times, all places where work is done in compressed air.

267. Partial invalidity.) Section 7. The invalidity of any portion of this Act shall in no way affect the validity of any other portion hereof.

268. Short title.) Section 8. This Act may be cited as "The Work Under Compressed Air Act."

APPROVED July 25, 1939.

The following are the names of the persons who have been elected to the office of President of the Institute for the year 1900. The names are given in the order in which they were elected, and the names of the persons who have been elected to the office of Vice-President are given in the order in which they were elected.

President - The Hon. Mr. J. H. Stoddart, F.R.S., F.R.G.S., F.R.I., F.R.A.S., F.R.S.E., F.R.S.N., F.R.S.O., F.R.S.I., F.R.S.A., F.R.S.M., F.R.S.C., F.R.S.D., F.R.S.F., F.R.S.G., F.R.S.H., F.R.S.J., F.R.S.K., F.R.S.L., F.R.S.M., F.R.S.N., F.R.S.O., F.R.S.P., F.R.S.Q., F.R.S.R., F.R.S.S., F.R.S.T., F.R.S.U., F.R.S.V., F.R.S.W., F.R.S.X., F.R.S.Y., F.R.S.Z.

Vice-President - The Hon. Mr. J. H. Stoddart, F.R.S., F.R.G.S., F.R.I., F.R.A.S., F.R.S.E., F.R.S.N., F.R.S.O., F.R.S.I., F.R.S.A., F.R.S.M., F.R.S.C., F.R.S.D., F.R.S.F., F.R.S.G., F.R.S.H., F.R.S.J., F.R.S.K., F.R.S.L., F.R.S.M., F.R.S.N., F.R.S.O., F.R.S.P., F.R.S.Q., F.R.S.R., F.R.S.S., F.R.S.T., F.R.S.U., F.R.S.V., F.R.S.W., F.R.S.X., F.R.S.Y., F.R.S.Z.

THE JOURNAL OF THE



INJURIES AND DEATH DURING CONSTRUCTION  
OR REPAIR OF BRIDGES AND HIGHWAYS  
(III. Rev. Stat., Ch. 121, §§ 314.1-314.8)

Sec.

- 314.1 Maintenance of traffic--manner.
- 314.2 Flagmen.
- 314.3 Drivers--duty to obey flagmen.
- 314.4 Marking of closed portions of highway--manner
- 314.5 Violation of act--penalty.
- 314.6 Accrual of action.
- 314.7 Non-compliance with act--enforcement by director of labor.
- 314.8 Application of Act.

AN ACT to protect workmen and the general public from injury or death during construction or repair of bridges and highways within the State of Illinois.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

314.1 Maintenance of traffic--Manner.) Sec. 1.  
All construction work upon bridges or highways within the State of Illinois shall be so performed and conducted that two-way traffic will be maintained when such is safe and practical, and when not safe and practical, or when any portion of the highway is obstructed, one-way traffic shall be maintained, unless the authorized agency in charge of said construction directs the road to be closed to all traffic.

314.2 Flagmen.) Sec. 2. At all times during which men are working where one-way traffic is utilized, the contractor or his authorized agent in charge of

## Bridges & Highways (Sec. 2 cont.)

such construction will be required to furnish no fewer than two flagmen, one at each end of the portion of highway or bridge on which only one-way traffic is permitted, and at least 100 feet away from the nearest point of the highway or bridge on which only one-way traffic is safe and permitted. The flagmen shall be equipped with safe, suitable, and proper signal devices as prescribed in the Safety Code published by the Department of Transportation and shall so use such devices as to inform approaching motorists to stop or proceed. In addition, safe, suitable, and proper signals and signs as prescribed in the Manual of Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation shall be so placed as to warn approaching persons of the existence of any portion of highway or bridge upon which only one-way traffic is safe and permitted. At bridge construction or bridge repair sites, where one-way traffic is utilized, traffic control signals conforming to the Manual may be installed and operated in lieu of, or in addition to flagmen. (As amended by P.A. 77-176, approved July 2, 1971, effective January 1, 1972.)

314.3 Drivers--Duty to obey flagmen) Sec. 3.  
Drivers of any motor vehicle approaching any section of highway or bridge which is limited to only one-way traffic shall obey warning signs and shall stop their vehicles if signaled to do so by a flagman or a traffic control signal.

(As amended by act approved May 4, 1967.)



314.4 Marking of closed portions of highway--  
Manner.) Section 4. Any portion of highway or bridge which is closed to all traffic shall be marked at each place where vehicles have accessible approach to such portion of highway or bridge, and at a sufficient distance from the closed portion of such highway or bridge shall be marked with an adequate number of safe, suitable, and proper warning signs, signals or barricades as set forth in the Manual of Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation so as to give warning to approaching motorists that such portion of bridge or highway is closed and unsafe for travel.

(As amended by P.A 77-176, approved July 2, 1971, effective January 1, 1972.) (See note at end of law.)

314.5 Violation of act--Penalty.) Section 5. Any contractor, subcontractor, or his authorized agent in charge of construction work on highways or bridges within the State of Illinois, or any driver of any motor vehicle, who knowingly or wilfully violates any provision of this Act, is guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$100 nor more than \$500.

314.6 Accrual of action.) Section 6. Any contractor, subcontractor, or his authorized agent or driver of any motor vehicle who knowingly or wilfully violates any provision of this Act, shall be responsible

## Bridges & Highways (Sec. 6 cont.)

for any injury to person or property occasioned by such violation, and a right of action shall accrue to any person injured for any damages sustained thereby; and in case of loss of life by reason of such violation, a right of action <sup>(shall accrue)</sup> to the widow of the person so killed, his heirs, or to any person or persons who were, before such loss of life, dependent for support on the person so killed, for a like recovery of damages sustained by reason of such loss of life.

314.7 Non-compliance with act--Enforcement by director of labor.) Section 7. In case of any failure to comply with any of the provisions of this Act, the Director of Labor may, through the State's Attorney, or any other attorney in case of his failure to act promptly, take the necessary legal steps to enforce compliance therewith.

314.8 Application of act.) Section 8. The provisions of this Act shall not apply to employees or officials of the State of Illinois or any other public agency engaged in the construction or maintenance of highways and bridges.

APPROVED July 22, 1959. As amended by acts approved May 4, 1967; and July 2, 1971 (P.A. 77-176.)

(NOTE: P.A. 77-176 : "This amendatory Act shall take effect January 1, 1972. The Safety Code and the Manual of Uniform Traffic Control Devices for Streets and Highways published by the Department of Public Works and Buildings shall continue in force and effect until changed or modified and published by the Department of Transportation. ")



SAFETY GLAZING MATERIALS ACT  
(Ill. Rev. Stat., Ch. 17½, §§ 1-9)

Sec.

1. Short title.
2. Definitions.
  - 2.1 Safety glazing material defined.
  - 2.2 Hazardous locations defined.
3. Labeling required.
4. Safety glazing materials required.
5. Employees not covered.
6. Public hearing.

Sec.

- 6.1 Notice of hearing.
- 6.2 Determinations--distribution.
- 6.3 Modification or vacation of determinations--Objections.
- 6.4 Review.
7. Penalty.
8. Local ordinances.
9. Effective Date.

AN ACT to protect the consumer and encourage the highest standards of construction safety by requiring the use of safety glazing materials in hazardous locations in residential, commercial or public buildings, and to provide penalties for the violation thereof.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

1. Short title.) Section 1. This Act shall be known and may be cited as the Safety Glazing Materials Act.

2. Section 2. Definitions. As used in this Act, words and phrases have the meaning ascribed to them as set out in Sections 2.1 through 2.2.

## SAFETY GLAZING MATERIALS

### 2.1 Safety glazing material defined.) Sec. 2.1

"Safety glazing material" means any glazing material,, such as tempered glass, laminated glass, wire glass or rigid plastic, which meets the test requirements of ANSI Standard Z97.1-1966 and such further requirements as may be adopted by the Department of Labor, after notice and hearing as required by Sections 6 and 6.1 of this Act, and which are so constructed, treated or combined with other materials as to minimize the likelihood of cutting and piercing injuries resulting from human contact with the glazing material.

### 2.2 Hazardous locations defined.) Sec. 2.2.

"Hazardous locations" means those installations, glazed or to be glazed in commercial and public buildings, known as framed or unframed glass entrance doors; and those installations, glazed or be glazed in residential buildings and other structures used as dwellings, commercial buildings, and public buildings. known as sliding glass doors, storm doors, shower doors, bathtub enclosures and fixed glazed panels adjacent to entrance and exit doors which because of their location present a barrier in the normal path traveled by persons going into or out of these buildings, and because of their size and design may be mistaken as means of ingress or egress; and any other installation, glazed or to be glazed, where the use of other than safety glazing materials would constitute an unreasonable hazard as the Department of Labor may determine after notice and hearings as required by Sections 6 and 6.1 of this Act. Whether the glazing in such doors, panels, enclosures and othe installations is transparent has no relevance towards the meaning of "hazardous locations."



## SAFETY GLAZING MATERIALS

### 3. Section 3. Labeling required.

(A) Each light of safety glazing material manufactured, distributed, imported or sold for use in hazardous locations or installed in such a location within the State of Illinois shall be permanently labeled by such means as etching, sandblasting, firing of ceramic material on the safety glazing material or by other suitable means. The label shall indicate the labeler, whether manufacturer, fabricator or installer, the nominal thickness, the type of safety glazing material, the fact that the material meets the test requirements of ANSI Standard Z 97.1-1966 and such further requirements as may be adopted by the Department of Labor.

The label must be legible and visible after installation.

(B) Such safety glazing labeling shall not be used on other than safety glazing materials.

### 4. Section 4. Safety glazing materials required.

No person, within the State of Illinois, shall knowingly sell, fabricate, assemble, glaze, install, consent or cause to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location.

### 5. Sec. 5. Employees not covered.

No liability under this Act shall be created as to workmen who are employees of a contractor, subcontractor, or other employer responsible for compliance with this Act.

## SAFETY GLAZING MATERIALS

### 6. Section 6. Public hearing.

Before the Department of Labor determines and adopts further requirements for safety glazing material, in addition to the requirements of ANSI Standard Z-97.1 1966, and before the Department determines what constitutes an unreasonable hazardous location in need of safety glazing material, the Department shall hold public hearings for such determinations. Interested parties may testify and submit other relevant evidence at such hearings.

#### 6.1 Sec. 6.1 Notice of hearing.

Notice of such hearing, stating the time, subject and location, shall be given at least 30 days before the date of the hearing by publication in a newspaper of general circulation within the county in which the hearing is to be held, and by mailing notice thereof to any individual, firm, partnership, corporation or association who have filed with the Department of Labor their names and addresses, requesting notice of such hearing.

#### 6.2 Sec. 6.2 Determinations--Distribution.

Upon the conclusion of such hearing, the Department of Labor shall enter in writing any determinations regarding additional requirements for safety glazing material or unreasonable hazardous locations in need of safety glazing material. Copies of determinations shall be mailed to interested parties whose names are on file with the Department as provided in Section 6.1.



## GLAZING MATERIAL ACT

6.3 Sec. 6.3 Modification or vacation of determinations -- Objections. Within 30 days after the entry of a determination, the Department may modify or vacate such determination by its own motion or upon written objection by a party affected by such determination. The Department, in its discretion, may or may not act upon written objections by such affected parties.

6.4 Sec. 6.4 Review. Any determination adopted by the Department as a result of a public hearing is subject to review under the Administrative Review Act as now or hereafter amended.

7 Sec. 7. Penalty. Whoever violates this Act is guilty of a misdemeanor, and upon conviction thereof, shall pay a fine of not less than \$500 nor more than \$10,000, or be imprisoned for not more than one year, or both so fined and imprisoned.

8. Sec. 8. Local ordinances. This Act supersedes any local, municipal or county ordinance, or parts thereof relating to the subject matter hereof, except that this Act shall not apply to any municipality or county with home rule powers from and after the date such municipality or county has enacted a superseding ordinance.

9. Sec. 9. Effective date. This Act takes effect January 1, 1972 and applies only to installations made after the effective date.  
(P.A. 77-112 approved June 22, 1971, effective January 1, 1972.)





REPORT of OCCUPATIONAL INJURIES, ILLNESSES  
and FATALITIES

(Ill. Rev. Stat., Ch. 48, §§ 891-894)

Sec.

1. Definitions.
2. Employer to maintain records of injuries.
3. Reports of deaths required.
4. Serious injuries.

An Act requiring Illinois employers to report certain occupational injuries, illnesses and fatalities to the Department of Labor.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Definitions.) § 891.

Sec. 1. In this Act the words and phrases defined in Sections 1.1 through 1.4 have the meanings ascribed to them in those Sections, unless another meaning is clear from the context.

891.1. Sec. 1.1. "Employer" means anyone defined as such in Section 1 in the "Workmen's Compensation Act", approved July 9, 1951, as amended.

891.2. Sec. 1.2. "Employee" means anyone defined as such in Section 1 of the "Workmen's Compensation Act", approved July 9, 1951, as amended.

891.3. Sec. 1.3. "Director" means the Illinois Director of Labor.

## Serious Injuries (Sec. 1.4)

891.4. Sec. 1.4. "Division" means the Safety Inspection and Education Division of the Department of Labor.

Employer to maintain records of injuries.) 892.

Sec. 2. Every employer in Illinois is required to maintain a record of all injuries, occupational illnesses and fatalities of his employees in a manner and form prescribed by the Director of Labor, which manner and form shall be in substantial compliance with that required under the Federal Occupational Safety and Health Act of 1970.

Reports of deaths required.) 893.

Sec. 3. Every employer in Illinois is required to report any accident resulting in the death of an employee in the course of his employment within 24 hours of the death. The report shall be made to the Division of Safety Inspection and Education in a manner and form prescribed by the Director.

Serious injuries.) 894.

Sec. 4. Serious injuries to employees occurring in the course of their employment, as those injuries are defined in rules and regulations promulgated by the Director, are subject to the reporting requirements of Section 3 of this Act.

(P.A. 77-1733 approved December 1, 1971, effective July 1, 1972.)



PROTECTION OF CHAUFFEURS.

(Ill. Rev. Stat., Ch. 48, §§ 89-90)

Sec.

1. Shield and hood on delivery trucks and automobiles.
2. Penalty for violation.

AN ACT to protect chauffeurs in their employment from dust, wind and inclement weather.

89. Shield and hood on certain automobiles.)

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Every person or corporation owning, operating or controlling automobiles or auto trucks used for the delivery of merchandise, produce or freight, shall keep upon the front of the said automobiles or auto trucks a shield and hood as an inclosure to protect chauffeurs from wind, dust and inclement weather.

90. Penalty for Violation) Section 2.

Every person or corporation owning, operating or controlling an automobile or auto truck who shall neglect or refuse to comply with the provisions of section 1

of this act upon conviction shall be fined not less than ten dollars nor more than \$50.00 for each and every day and for each and every automobile or auto truck used and operated in violation of section 1 of this act.

APPROVED June 27, 1913.

TAXICAB SHIELDS REQUIRED IN CITIES OF  
1 MILLION AND OVER POPULATION  
(Ill. Rev. Stat., Ch. 95 $\frac{1}{2}$ , Sec. 12-605)

Motor Vehicle Code—Ch. 12 Equipment  
Article VI Miscellaneous Requirements

Sec. 12-605. Taxicabs--Bullet-proof shields.

In municipalities with 1,000,000 or more population, any taxicab manufactured, owned or operated after September 1, 1970, and regularly operated in such a municipality must have a bullet proof shield complete separating the driver's seat from the back seat.

Any person owning a taxicab which is in violation of this Section shall be fined not to exceed \$500.

(As amended by P.A. 77-37, approved May 19, 1971.)



MEDICAL EXAMINATION OF EMPLOYEES AND APPLICANTS

(Ill. Rev. Stat., Ch. 48, § § 172d-172g)

Sec.

1. Cost of examination.
2. Employer defined.
3. Employee defined.
4. Penalties.

AN ACT forbidding employers to require employees or applicants for employment to pay the cost of medical examinations required as a condition of employment.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

172d. Cost of examination.) SECTION ONE.

No employer shall require any employee or applicant for employment to pay the cost of a medical examination or the cost of furnishing any records of such examination required by the employer as a condition of employment.

172e. Employer defined.) Section 2.

The term "employer" as used in this Act shall mean and include an individual, a partnership, an association, a corporation, a legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air or express company doing business in or operating within the State.

## MEDICAL EXAMINATION

### 172f. Employee defined.) Section 3.

The term "employee" shall mean and include every person who may be permitted, required or directed by any employer, as defined in Section 2, in consideration of direct or indirect gain or profit, to engage in any employment.

### 172g. Penalties.) Section 4.

Whoever violates the provisions of this Act shall be fined not more than \$100.00 for each offense.

APPROVED July 11, 1951.





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